

Notice of Allowability	Application No. 09/975,552 Examiner Jimmy T Vu	Applicant(s) KIRKPATRICK ET AL. Art Unit 2821
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 10/12/2001.
2. The allowed claim(s) is/are 1 and 2.
3. The drawings filed on 12 October 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. 09/228,230.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) The translation of the foreign language provisional application has been received.
6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

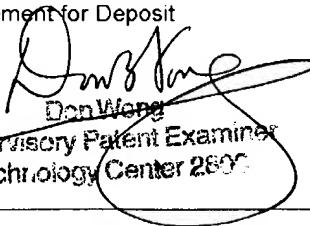
7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. CORRECTED DRAWINGS must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back of each sheet).

9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	<input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.
<input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____.	<input type="checkbox"/> Examiner's Amendment/Comment
<input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	<input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	<input type="checkbox"/> Other


Don B. Wong
Supervisory Patent Examiner
Technology Center 2800

DETAILED ACTION

Allowable Subject Matter

1. Claims 1 and 2 are allowed.
2. The following is an examiner's statement of reasons for allowance:

None of the prior art teaches the oscillator comprising the tuning circuit connected to the input of the amplifier, wherein the tuning circuit is continuously variable and consists of solid state electrical components with no mechanically adjustable devices including the pair of diodes connected to each other at their respective cathodes with the control voltage connected at the junction of the diodes, and transmission lines connected to the input of the amplifier with the input pad and the perpendicular transmission line extending from the input pad and forming the leg of the resonant "T", and wherein the feedback network is coupled to the leg of the resonant "T".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and relied upon is considered pertinent to applicant's disclosure. The best consider with this application can be filed in Takehara (U.S. Patent number

Art Unit: 2821

5,834,907), Muterspaugh (U.S. Patent number 4,476,583) and Siao (U.S. Patent number 6,005,355 B1).

Conclusion

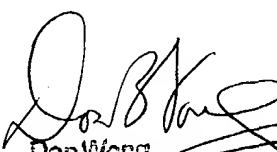
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Vu whose telephone number is (703) 306-5451. The examiner can normally be reached on Monday to Friday from 9:00 am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong, can be reached on (703) 308-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722 or (703) 308-7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.

Jimmy Vu

December 15, 2003



Don Wong
Supervisory Patent Examiner
Technology Center 2821